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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,660	02/15/2001	M. Salahuddin Khan	N0084 US	2233
Navigation Techologies Corporation Attention Patent Department 222 Merchandise Mart Plaza Merchandise Mart Suite 900 Chicago, IL 60654			EXAMINER	
			NOLAN, DANIEL A	
			ART UNIT	-PAPER NUMBER
			2654	
			DATE MAILED: 12/08/2003	13.

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Office Action Summary	09/784,660	KHAN ET AL.			
omoc Aouen Gummary	Examiner	Art Unit			
The MAILING DATE of this communication	Daniel A. Nolan	2654			
Period for Reply	rappears on are cover sheet wi	ar are correspondence address			
A SHORTENED STATUTORY PERIOD FOR RI THE MAILING DATE OF THIS COMMUNICATION  - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication  - If the period for reply specified above is less than thirty (30) days,  - If NO period for reply is specified above, the maximum statutory p  - Failure to reply within the set or extended period for reply will, by s  - Any reply received by the Office later than three months after the rearmed patent term adjustment. See 37 CFR 1.704(b).  Status	ON. FR 1.136(a). In no event, however, may a rive. a reply within the statutory minimum of thirty eriod will apply and will expire SIX (6) MON statute, cause the application to become AB	eply be timely filed y (30) days will be considered timely. THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).			
1) Responsive to communication(s) filed on	<u>03 November 2003</u> .				
2a) ☐ This action is <b>FINAL</b> . 2b) ☑	This action is non-final.				
3) Since this application is in condition for a closed in accordance with the practice ur Disposition of Claims					
4) Claim(s) 1-21 is/are pending in the applic	ation.				
4a) Of the above claim(s) is/are with	hdrawn from consideration.				
5)⊠ Claim(s) <u>1-18,20 and 21</u> is/are allowed.					
6)⊠ Claim(s) <u>19</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction a Application Papers	and/or election requirement.				
9) The specification is objected to by the Example 1	miner.				
10)☐ The drawing(s) filed on is/are: a)☐ a	accepted or b) objected to by t	he Examiner.			
Applicant may not request that any objection	to the drawing(s) be held in abeya	ance. See 37 CFR 1.85(a).			
11)⊠ The proposed drawing correction filed on <u>14 July 2003</u> is: a)⊠ approved b)⊡ disapproved by the Examiner.					
If approved, corrected drawings are required in reply to this Office action.					
12) ☐ The oath or declaration is objected to by the	e Examiner.				
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for fo	oreign priority under 35 U.S.C. §	§ 119(a)-(d) or (f).			
a)☐ All b)☐ Some * c)☐ None of:					
<ol> <li>Certified copies of the priority docur</li> </ol>	ments have been received.				
2. Certified copies of the priority docur	ments have been received in A	pplication No			
<ul> <li>3. Copies of the certified copies of the application from the International</li> <li>* See the attached detailed Office action for a second content of the certified copies of the ce</li></ul>	al Bureau (PCT Rule 17.2(a)).	•			
14) Acknowledgment is made of a claim for don	·				
a) ☐ The translation of the foreign language					
15) Acknowledgment is made of a claim for dor	•				
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-940) 3) Information Disclosure Statement(s) (PTO-1449) Paper Notice  Output  Description:	8) 5) Notice of I	Summary (PTO-413) Paper No(s) Informal Patent Application (PTO-152)			

## **DETAILED ACTION**

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#### Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03 November 2003 has been entered.

### Response to Amendment

2. The filing of 14 July 2003 was applied with the effect that claim 19 was changed as indicated and examined on the merits.

### Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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- 5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakisaka *et al* (U.S. Patent 6,112,174) in view of Ashby<sup>'419</sup> (U.S. Patent 5,974,419).
- 6. Regarding claim 19, <u>Wakisaka et al</u> (column 2 line 52) reads on the feature of a positioning system that determines a current location of a vehicle in a region (col 3 lns 26-27);
- Wakisaka et al (column 54-63) reads on the feature of an automatic speech recognition system that matches data representations of words spoken by a user of the vehicle to a word list of data representations of spoken names of geographic features,
- <u>Wakisaka et al</u> (AREA 1-n in figure 3b) reads on the feature that the word list of data representations of spoken names of geographic features includes only a portion of

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all available data representations of spoken names of geographic features contained in a geographic database

... because, each AREA of <u>Wakisaka et al</u> changes nature depending on whether they are in use or not, the remaining dictionaries of <u>Wakisaka et al</u> (as in figure 3B) read on the feature that the word list of data representations of spoken names of geographic features includes only a portion of all available data representations of spoken names of geographic features,

When the vehicle is in the appropriate AREA, <u>Wakisaka et al</u> reads on the feature that a <u>1<sup>st</sup> part that changes to include different words as the vehicle travels in the region such that the 1<sup>st</sup> part includes words for names of geographic features in proximity to the current location of the vehicle;</u>

The configuration of <u>Wakisaka et al</u> (col 2 lns 23-col 3 ln 45) reads on the feature of a 1<sup>st</sup> part and a 2<sup>nd</sup> part (corresponding to the 1<sup>st</sup> storage unit of claim 13 in col 11 lns 57-62), without explicitly stating that the 2<sup>nd</sup> part does not change. With the invention for parcelization of geographic data for storage and use in a navigation application, <u>Ashby'419</u> describes a system simultaneously representing both destination and present position (col 5 lns 38-42).

This destination information reads on the feature that the word list includes a <u>2nd</u> part that does not change to include different words as the vehicle travels in the region and that includes words for names of selected geographic features located throughout the region (col 5 lns 30-36) wherein both the 1<sup>st</sup> and the 2<sup>nd</sup> part are available to the

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<u>automatic speech recognition system at the same time</u> (particularly when representing a trip, col 2 lns 42-46).

This would have made it obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Ashby<sup>'419</sup> to the device/method of Wakisaka et al because throughout the course of the trip, destination information does not change, while the present location does with the progress of the journey.

# Allowable Subject Matter

- 7. Claims 1-18 and 20-21 are allowed.
- 8. The following is a statement of reasons for the indication of allowable subject matter:
- The present invention is directed to **building a dictionary** of places anticipating a request that might be spoken while driving, the places being selected on the basis of closeness to the vehicle.
- The closest prior art of record <u>Wakisaka et al</u> operates to continually build speech dictionaries, basing replacement on recognition failure and using maps from location sets based on position rather than individual distance. Other close prior art of <u>DeLorme et al</u>, does select places within a distance of a route, but only to display location on a map or for presentation of site information.

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- Claims 1, 6, 12 and 20 each identify the uniquely distinct features of "determining whether a distance from the current position of the vehicle to a position associated with a previous build of a speech recognition word list exceeds a threshold; and (if the distance exceeds the threshold), forming a new speech recognition word list by adding names of geographic features located in proximity to the current position of the vehicle to a plurality of words that correspond to a collection of geographic features selected without regard to proximity to the current position of the vehicle."

- While the closest prior art together could disclose a mechanism of determining distances between a place and a vehicle and using an appropriate dictionary, the dissimilarities between the effort of collecting elements meeting criteria for display and using prepared data for speech recognition is sufficiently great that the prior art of record would fail to anticipate or render the above underlined limitations obvious.
- Claims 2-5, 7-11, 13-18 and 21 depend on claims that have been found to be allowable and so would they themselves be allowed as a consequence.

#### Conclusion

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Ashby<sup>'803</sup> (U.S. Patent 6,081,803 A) support for alternative words for names and features in a geographic database used with a navigation program.

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- Robinson et al (U.S. Patent 6,188,955 B1) storing cartographic route data creates a stable list of destination features and another list varying with GPS received enroute.

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Daniel A. Nolan at telephone (703) 305-1368 whose normal business hours are Mon, Tue, Thu & Fri, from 7 AM to 5 PM.

If attempts to contact the examiner by telephone are unsuccessful, supervisor Richemond Dorvil can be reached at (703)305-9645.

The fax phone number for Technology Center 2600 is (703)872-9314. Label informal and draft communications as "DRAFT" or "PROPOSED", & designate formal communications as "EXPEDITED PROCEDURE". Formal response to this action may be faxed according to the above instructions,

or mailed to:

P.O. Box 1450

Alexandria, VA 22313-1450

or hand-deliver to:

Crystal Park 2,

2121 Crystal Drive, Arlington, VA,

Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office at telephone number (703) 306-0377.

DAN/d

December 4, 2003

Daniel A. Nolan Examiner Art Unit 2654

> DANIEL NOLAN PATENT EXAMINER